

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL DARRINGTON,

Petitioner,

vs.

No. 9:05-CV-01498  
(FJS/VEB)

T.S. CRAIG,

Respondent.

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APPEARANCES:

OF COUNSEL

MICHAEL DARRINGTON  
Pro Se  
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Hon. Andrew T. Baxter  
Acting United States Attorney  
Northern District of New York  
Attorney for Defendant  
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Charles E. Roberts, Esq.  
Assistant U. S. Attorney

**FREDERICK J. SCULLIN, JR., S.J.**

**DECISION AND ORDER**

Currently before the Court is Magistrate Judge Victor E. Bianchini's August 15, 2008 Report-Recommendation to which the parties have filed no objections. Having reviewed that Report and Recommendation and the entire file in this matter, the Court hereby

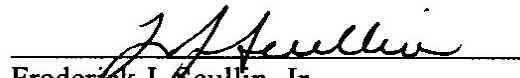
**ORDERS** that the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed August 15, 2008 is **ACCEPTED** in its entirety, for the reasons stated therein, and the Court further

**ORDERS** that petitioner's application for a writ of habeas corpus is **DENIED** and **DISMISSED**, and the Court further

**ORDERS** that the Clerk of the Court enter judgment in favor of the respondent and against the petitioner and close this case.

**IT IS SO ORDERED.**

**Dated:** September 9, 2008  
Syracuse, New York

  
Frederick J. Scullin, Jr.  
Senior United States District Court Judge